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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,437	04/18/2001	Michael P. Etgen	RSW9-2001-0006-US1	3954

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EXAMINER

PITARO, RYAN F

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/837,437

Applicant(s)

ETGEN ET AL.

Examiner

Ryan F. Pitaro

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,6,8,9,11 and 14-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11,18-20,25-28,31 is/are allowed.
- 6) ☒ Claim(s) 1,3,6,8,9,14-17,21-24,29-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1,3,6,8,9,11,14-31 have been examined.

Response to Amendment

2. This communication is responsive to Amendment E, filed 11/11/2005.
3. Claims 1,3,6,8,9,11,14-31 are pending in this application. Claims 1,15,18,21,23 are independent claims. This action is Final.

Allowable Subject Matter

Claims 11,18-20,25-28,31 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art is deficient in teaching an intersection of two slider which defines a portion of an image which is to be resized along with the other limitations of the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2174

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,3,6,15,16,19,21,23,25 rejected under 35 U.S.C. 103(a) as being unpatentable over Soenksen ("Soenksen", US 6,711,283) in view of Roman et al ("Roman", US 6,803,931).

As per claim 1, Soenksen teaches a method for displaying a user-selected portion of an image, said method comprising the steps of: displaying said image via a graphical user interface (Figure 5A item 107); providing a display area of a certain size via the graphical user interface, said display area being provided adjacent said image (Figure 5A item 124); displaying a first slider that is variable in size according to user input, said slider being displayed superimposed over said image to define a corresponding first portion of said image within a boundary of said first slider (Figure 5A item 106); displaying said first portion of said image in said display area, accepting user input to resize said first slider, the user input being accepted responsive to a user's manipulation of an input device (Column 21 lines 60-64); displaying said first slider as resized, said resized first slider being displayed superimposed over said representation of image to define a corresponding second portion of said image within said boundary of said slider (Column 21 lines 60-64); and displaying a said second portion of said image in said display area. Soenksen fails to distinctly point out resizing the portion to fill the display area. However, Roman teaches a portion of said image being enlarged relative to said image to fill said display area of said certain size (Column 6 lines 22-47).

Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Roman with the method of Soenksen. Motivation to combine would have been to provide an easy control of display parameters such as zoom and magnification to control the display of an image within an image display window.

As per claim 3, which is dependent on claim 1, Soenksen-Roman teaches a method wherein said user's manipulation of said input device of step (c) comprises a click-and-drag technique (Column 21 lines 60-64).

As per claim 6, which is dependent on claim 1, Soenksen-Roman teaches a method wherein said slider is translatable over said image (Figure 5A item 128).

Claims 15 and 19 are similar in scope to claim 3, and are therefore rejected under similar rationale.

Claim 16,21 and 23 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

5. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soenksen ("Soenksen", US 6,711,283) and Roman et al ("Roman", US 6,803,931) in view of Moran et al. ("Moran," US# 5,717,869).

As per claim 8, which is dependent on claim 1, the invention of Soenksen-Roman fails to teach the method of claim 1, wherein a visual momentum technique is used to relate said second portion of said image to said image. Moran teaches displaying a visual relationship between the overview of a file area and the focused file area (Moran, Fig. 5., col. 20, lines 33-52). It would have been obvious to one skilled in the art at the

Art Unit: 2174

time of invention to use visual relationship of Moran in the data display system of Soenksen-Roman because it would provide a more clear correlation between the small image and the large image.

As per claim 9, which is dependent on claim 8, Soenksen-Roman-Moran further teaches the method of claim 8, wherein said visual momentum technique comprises displaying a pair of lines extending from said second portion of said image to said image (Moran, Fig. 5', col. 20, lines 33-52).

6. Claims 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soenksen ("Soenksen", US 6,711,283) and Roman et al ("Roman", US 6,803,931) in further view of Perry ("Perry," US# 5,553,225).

As per claim 14, which is dependent on claim 1, the invention of fails to teach the method of claim 1, wherein said slider comprises a scroll box of a scroll bar. However, Perry teaches an input functionality by enabling the user to directly change the slider's length, thereby changing the display scale (Figs. 2 and 4-6; col. 4, lines 30-50). It would have been obvious to one skilled in the art at the time of invention to use the variable size slider bar of Perry in the slider system of Soenksen because it would give the user a more visually familiar system, thereby making the system more user-friendly.

Dependent claim 17 is similar in scope to claim 14, and is therefore rejected under similar rationale.

7. Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soenksen ("Soenksen", US 6,711,283) and Roman et al ("Roman", US 6,803,931) in further view of Paal ("Paal" US# 5,263,134).

As per claim 29, which is dependent on claim 15, Soenksen-Roman fails to distinctly point out sliders relative to axis. However, Paal teaches the graphical user interface of claim 15, wherein said slider is translatable relative to said image along only one axis (Paal, col. 11, lines 52-68 and col. 12, lines 1-3). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Soenksen-Roman with the teaching of Paal. Motivation to do so would have been to provide a controlled way to view the image.

As per claim 30, which is dependent on claim 29, Soenksen-Roman-Paal further teaches the graphical user interface of claim 15, wherein said slider is translatable relative to said image along only one axis (Paal, col. 11, lines 52-68 and col. 12, lines 1-3).

Response to Arguments

Applicant's arguments with respect to claims 1,3,6,8,9,11,14-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm M-Th, and alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Art Unit 2174
Patent Examiner

RFP

Kristine Kincaid
KRISTINE KINCAID
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